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13 **UNITED STATES DISTRICT COURT**
14 **NORTHERN DISTRICT OF CALIFORNIA**
15 **SAN FRANCISCO DIVISION**

16 Case No. 3:18-md-02843-VC

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18 IN RE: FACEBOOK, INC., CONSUMER
19 PRIVACY USER PROFILE LITIGATION

**DECLARATION OF NON-PARTY
PRICEWATERHOUSECOOPERS LLP
IN SUPPORT OF ADMINISTRATIVE
MOTIONS TO FILE UNDER SEAL BY
PLAINTIFFS AND BY DEFENDANT
FACEBOOK, INC. (L. CIV. R. 79(5)(e))**

DECLARATION OF MATTHEW H. DAWSON

I, Matthew H. Dawson, hereby declare as follows:

1. I am a lawyer at the law firm of King & Spalding LLP, counsel for non-party PricewaterhouseCoopers LLP (“PwC”). I am a member in good standing of the bars of California and Maryland. I submit this declaration in support of Plaintiffs’ Administrative Motion to File Under Seal (ECF No. 545) and Defendant Facebook, Inc.’s Administrative Motion to File Under Seal (ECF No. 550) in accordance with Local Civil Rule 79(5)(e).

2. I have personal knowledge of the facts set forth in this declaration and could testify competently to those facts if required to do so.

3. On February 11, 2020, non-party PwC was served with a subpoena in the matter. The subpoena sought documents relating to PwC’s assessor reports on Facebook’s privacy program. After meeting and conferring with the plaintiffs, PwC produced certain materials under the operative protective order (ECF No. 122).

4. On October 16, 2020, the plaintiffs filed an Administrative Motion to File Under Seal (ECF No. 545). The motion includes two documents, Exhibits H and I, that were produced by PwC and designated as “Highly Confidential” under the protective order.

5. On the same day, the plaintiffs and defendant filed a stipulation with the Court (ECF No. 542) stating that Facebook would file an additional motion to seal the documents identified by the plaintiffs by October 23, 2020.

6. On October 17, 2020, the plaintiffs informed PwC by email of the administrative motion concerning its documents.

7. PwC submits this declaration in support of sealing its confidential materials. Both exhibits should be sealed to avoid the risk of serious competitive harm to PwC’s business.

8. **Exhibit H** is a spreadsheet relating to PwC’s 2013 Initial Assessment Report. This document relates to requests that PwC made in assessing various control activities in Facebook’s privacy program, and therefore reflects aspects of PwC’s confidential methodology for assessing privacy practices and controls. The disclosure of such information to competitors

1 in the marketplace could significantly affect PwC's business.

2 9. **Exhibit I** is a work paper relating to PwC's 2017 Biennial Report. This work
3 paper reflects aspects of PwC's confidential methodology for assessing privacy practices and
4 controls. The disclosure of such information to competitors in the marketplace could
5 significantly affect PwC's business.

6 I declare under penalty of perjury that the foregoing is true and correct to the best of my
7 knowledge.

8 Executed this 23rd day of October 2020, at San Francisco, CA.

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11 /s/ Matthew H. Dawson

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